

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application for: )  
Stephen Townsend et al., ) Examiner: Nguyen, Nga X  
Application No. 10/578,933 ) Art Unit: 3662  
Filing Date: 05/08/2006 ) Confirmation No. 4533  
For: GPS RECEIVER AND RELATED )  
METHOD AND APPARATUS )  
\_\_\_\_\_  
)

**PETITION TO REVIVE ON THE GROUNDS OF UNAVOIDABLE DELAY**

MAIL STOP: Office of Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicants hereby petition to revive the above-identified application on the grounds of unavoidable delay.

On November 4, 2009, an Office Action was issued and mailed to

NXP, B.V.  
NXP Intellectual Property & Licensing  
M/S41-SJ  
1109 McKay Drive  
San Jose, CA 95131

On August 6, 2008, an Assignment was recorded at Reel/Frame 021339/0708 assigning the above-identified application, among others, from NXP, B.V. to Geotate B.V.

On October 10, 2008, a Revocation of Power of Attorney with new power of attorney and change of correspondence address was filed changing the correspondence address for the above-identified application to the address associated with customer number 08791.

Attached is a copy of the recorded Assignment as Exhibit 1, and the electronic acknowledgement receipt and the revocation and power of attorney with new power of attorney and change of correspondence address.

Notwithstanding such submissions, on November 9, 2009 the PTO mailed the above-identified Office Action to the prior address associated with the present application.

However, the recipient never forwarded the Office Action to Geotate B.V., or a representative of Geotate B.V. As a result, neither the current owner of the patent, nor the representative of the current owner was aware that an Office Action had issued on November 4, 2009. This was determined because in a related application (Serial No. 11/573,870) in which an Office Action was also mailed to an address other than the current address of record, the recipient forwarded the incorrectly mailed Office Action on May 10, 2010 to Applicant's representative. As a result, Applicant's representative checked the status of the present application and as a result the current applicant became aware of such mailing, and that the six-month statutory period for response had already elapsed.

Upon becoming aware of the issuance of the Office Action, the Applicant, and its representatives began preparing and completing a response, a copy of which is submitted herewith.

Accordingly, since the application became abandoned due to PTO error in failing to mail the Office Action to the correct address of record, and since there was no awareness of the issuance of the Office Action until after the application had become abandoned, and since Applicant's representatives have been diligent in preparing a response since becoming aware of the abandoned status of the application, Applicant submits that the entire period in submitting a response to the outstanding Office Action was unavoidable.

The required Petition fee is submitted herewith. However, since the abandonment, and the need for this Petition were solely due to PTO error in incorrectly mailing the Office Action, request for refund is hereby made.

If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date:

5/1/2010

By:

Eric S. Hyman, Reg. No. 30,139

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being submitted electronically via EFS Web to the United States Patent and Trademark Office on the date shown below.

Linda Metz

1279 Oakmead Parkway  
Sunnyvale, CA 94085-4040  
Telephone (408) 720-8300  
Facsimile (408) 720-8383

Linda Metz 6/2/2010

# **EXHIBIT 1**

2:BLAKELY SOKOLOFF TAYLOR &amp; ZAFMAN COMPANY:1279 OAKMEAD PARKWAY



EST (LA)

## UNITED STATES PATENT AND TRADEMARK OFFICE

ELKINGTON &amp; FIFE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUGUST 06, 2008

\*500614141A\*

PTAS

BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
1279 OAKMEAD PARKWAY  
SUNNYVALE, CA 94085-4040

RECEIVED

AUG 08 2008

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN  
SUNNYVALEUNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 08/06/2008

REEL/FRAME: 021339/0708

NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 005926.A001

ASSIGNOR:

NXP B.V.

DOC DATE: 03/11/2008

ASSIGNEE:

GEOTATE B.V.  
HIGH TECH CAMPUS 60  
EINDHOVEN, NETHERLANDS

SERIAL NUMBER: 10552049

FILING DATE: 10/04/2005

PATENT NUMBER:

ISSUE DATE:

TITLE: METHOD OF POSITION STAMPING A PHOTO OR VIDEO CLIP TAKEN WITH A  
DIGITAL CAMERA

SERIAL NUMBER: 10578933

FILING DATE: 05/08/2006

PATENT NUMBER:

ISSUE DATE:

TITLE: GPS RECEIVER AND RELATED METHOD AND APPARATUS

Q:BLAKELY SOKOLOFF TAYLOR &amp; ZAFMAN COMPANY:1279 OAKMEADOW PARKWAY

021339/0708 PAGE 2

SERIAL NUMBER: 10563650 FILING DATE: 01/06/2006  
PATENT NUMBER: ISSUE DATE:  
TITLE: METHOD OF GENERATING A MAP DISPLAY FOR A GRAPHICAL USER INTERFACE

SERIAL NUMBER: 11573870 FILING DATE: 02/16/2007  
PATENT NUMBER: ISSUE DATE:  
TITLE: GPS RECEIVER AND RELATED METHOD AND APPARATUS

SERIAL NUMBER: 12067488 FILING DATE: 03/20/2008  
PATENT NUMBER: ISSUE DATE:  
TITLE: METHOD OF DETERMINING A GPS POSITION FIX A GPS RECEIVER FOR THE SAME

SERIAL NUMBER: 08250782 FILING DATE: 05/27/1994  
PATENT NUMBER: RE35498 ISSUE DATE: 04/29/1997  
TITLE: VEHICLE LOCATION SYSTEM

SERIAL NUMBER: 10055342 FILING DATE: 01/22/2002  
PATENT NUMBER: 6992584 ISSUE DATE: 01/31/2006  
TITLE: MOBILE DEVICE COMPRISING A GPS RECEIVER

SERIAL NUMBER: 10540317 FILING DATE: 06/21/2005  
PATENT NUMBER: 7233282 ISSUE DATE: 06/19/2007  
TITLE: GPS RECEIVER WITH ENCRYPTED DATA TRANSMISSION

SERIAL NUMBER: 07644792 FILING DATE: 01/23/1991  
PATENT NUMBER: 5119102 ISSUE DATE: 06/02/1992  
TITLE: VEHICLE LOCATION SYSTEM

ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION

BLAKELY SOKOLOFF TAYLOR &amp; ZAFMAN COMPANY: 1279 OAKMEAD PARKWAY

## PATENT ASSIGNMENT

Electronic Version v1.1  
Stylesheet Version v1.108/06/2008  
500614141

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT

## CONVEYING PARTY DATA

Name	Execution Date
NXP B.V.	03/11/2008

## RECEIVING PARTY DATA

Name:	Geotate B.V.
Street Address:	High Tech Campus 60
City:	Eindhoven
State/Country:	NETHERLANDS

## PROPERTY NUMBERS Total: 9

Property Type	Number
Application Number:	10552049
Application Number:	10578933
Application Number:	10563650
Application Number:	11573870
Application Number:	12067488
Patent Number:	RE35498
Patent Number:	6992584
Patent Number:	7233282
Patent Number:	5119102

## CORRESPONDENCE DATA

Fax Number: (408)720-8383

*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*

Phone: 310-207-3800

Email: alexis\_karriker@bstz.com

Correspondent Name: Blakely Sokoloff Taylor &amp; Zafman

Address Line 1: 1279 Oakmead Parkway

Address Line 4: Sunnyvale, CALIFORNIA 94085-4040

CH \$360.00 10552049

BLAKELY SOKOLOFF TAYLOR &amp; KAFMAN COMPANY: 1279 OAKMEAD PARKWAY

ATTORNEY DOCKET NUMBER:	005926.A001
NAME OF SUBMITTER:	Alexis L. Karriker
<p>Total Attachments: 4 source=5926_assignment#page1.tif source=5926_assignment#page2.tif source=5926_assignment#page3.tif source=5926_assignment#page4.tif</p>	

D:BLAKELY SOKOLOFF TAYLOR &amp; ZAFMAN COMPANY:1279 OAKMEAD PARKWAY



## UNITED STATES PATENT AND TRADEMARK OFFICE

### Facsimile Transmission

To: Name: BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
Company: 1279 OAKMEAD PARKWAY  
Fax Number: 14087208383  
Voice Phone:

From: Name: ASSIGNMENT SERVICES BRANCH  
Voice Phone: 571-272-3350

37 C.F.R. 1.6 sets forth the types of correspondence that can be communicated to the Patent and Trademark Office via facsimile transmissions. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to a non-final or final Office action by facsimile (37 CFR 1.8(a)).

#### Fax Notes:

Pg#	Description
1	Cover Page
2	284.TXT
4	Document 1, Batch 1363308

USPTO ASSIGNMENT SYSTEM PROCESSING

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Date and time of transmission: Friday, August 08, 2008 8:18:06 AM  
Number of pages including this cover sheet: 05

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## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	4098666
<b>Application Number:</b>	10578933
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4533
<b>Title of Invention:</b>	Gps receiver and related method and apparatus
<b>First Named Inventor/Applicant Name:</b>	Stephen Townsend
<b>Customer Number:</b>	65913
<b>Filer:</b>	Eric S. Hyman/Alexis Karriker
<b>Filer Authorized By:</b>	Eric S. Hyman
<b>Attorney Docket Number:</b>	GB03 0201 US1
<b>Receipt Date:</b>	10-OCT-2008
<b>Filing Date:</b>	08-MAY-2006
<b>Time Stamp:</b>	17:34:36
<b>Application Type:</b>	U.S. National Stage under 35 USC 371

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/Message Digest	Multi Part /.zip	Pages (if appl.)
1		5926p075_REVPOA_101008.pdf	70093 4bffffb579ca2fb68e8e2a2f22a500ddf11db073	yes	2

<b>Multipart Description/PDF files in .zip description</b>			
	<b>Document Description</b>	<b>Start</b>	<b>End</b>
	Oath or Declaration filed	1	1
	Assignee showing of ownership per 37 CFR 3.73(b).	2	2
<b>Warnings:</b>			
<b>Information:</b>			
<b>Total Files Size (in bytes):</b>		70093	
<p><b>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  <b>If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  <b>If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  <b>If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</b></p>			

Conf #  
4533

<b>REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS</b>	Application No. 10/578,933
	Filing Date May 8, 2006
	First Named Inventor Stephen Townsend
	Group Art Unit 3662
	Examiner Name Nguyen, Nga X.
	Attorney Docket Number 5926P075

**I hereby revoke all previous powers of attorney given in the above-identified application:**

A Power of Attorney is submitted herewith.

*OR*

I hereby appoint the practitioners associated with Customer Number: **08791**

Please change the correspondence address for the above-identified application to:

The address associated with  
Customer Number: **08791**

*OR*

<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

I am the:

Applicant.

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under of 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Name	<i>Stephen Francis</i>
Signature	<i>Stephen Francis</i>
Date	<i>02-10-2007</i>

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

\*Total of \_\_\_\_\_ forms are submitted.

Docket No. 5926P075

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Stephen Townsend, et al.

Application No./Patent No.: 10/578,933 Filing/Issue Date: 5/8/2006

Entitled: GPS Receiver and Related Method and Apparatus

Geotate B.V., a limited liability company,

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title and interest; or
- an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Stephen Townsend, Andrew T. Yule, Saul R. Dooley To: Koninklijke Philips Electronics N.V.

The document was recorded in the Patent and Trademark Office at Reel 017913, Frame 0020, or for which a copy thereof is attached.

2. From: Koninklijke Philips Electronics N.V. To: NXP B.V.

The document was recorded in the Patent and Trademark Office at Reel 019719, Frame 0843, or for which a copy thereof is attached.

3. From: NXP B.V. To: Geotate B.V.

The document was recorded in the Patent and Trademark Office at Reel 021339, Frame 0708, or for which a copy thereof is attached.

4. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

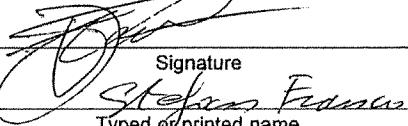
Copies of assignments or other documents in the chain of title are attached.

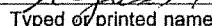
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

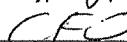
The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of assignee.

02-10-2008

Date

  
Signature

  
Typed or printed name

  
Title